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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,015	10/21/2003	Jean Marc Berthaud	FR920020058US1	4790
46583	7590	06/27/2008	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			RUSSELL, WANDA Z	
		ART UNIT	PAPER NUMBER	
		2616		
		NOTIFICATION DATE		DELIVERY MODE
		06/27/2008		ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

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DETAILED ACTION

Response to Amendment

1. Applicant's amendment, filed 6/4/2008 has been received and considered.

Response to Arguments

2. Applicant's arguments, filed 6/4/2008 have been fully considered but they are not persuasive.
3. Applicant argues that Klinker makes the determination of transmission of the datagram for a given service provider instead of being associated with the next hop router as amended.

In response, the Examiner respectfully disagrees.

In col. 21, lines 1-3, Klinker teaches "Least cost routing refers to a method of using or defaulting traffic to the least expensive provider", and refer to Fig. 12, router 1272 & NSP 1-N, they are next hops to choose from.

4. Applicant argues that a bandwidth is not specially disclosed in Klinker.

In response, the Examiner respectfully disagrees.

In col. 20, lines 28-29, Klinker teaches "circuit bandwidth for calculating utilization". Also refer to the whole paragraph of that section.

5. Applicant argues that Klinker's routing table is not used to update current bandwidth usage with the estimated bandwidth usage.

In response, the Examiner respectfully disagrees.

Klinker teaches "Usage collector 1215 operates to collect usage information 1273 from network providers, such as byte counters (i.e., the amount of traffic transmitted to

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and received from network service providers)" (refer to col. 20, lines 14-17) and "... reconstruct" (refer to col. 20, line 21). Here the byte counters are a table used to update (reconstruct) current bandwidth (amount of traffic) usage.

/Seema S. Rao/
Supervisory Patent Examiner, Art
Unit 2616

WZR/Wanda Z Russell/
Examiner, Art Unit 2616